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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/246,389	02/09/1999	ANTHONY J. DEZONNO	97RSS430/713	6116

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EXAMINER

GAUTHIER, GERALD

ART UNIT PAPER NUMBER

2645

DATE MAILED: 05/19/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Handwritten signature

Office Action Summary

Application No.

09/246,389

Applicant(s)

DEZONNO, ANTHONY J.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. **Claim 21** is objected to because of the following informalities: lines 3-4 recite "the automatic call processor". There is insufficient antecedent basis for this limitation in the claim. Correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-25** are rejected under 35 U.S.C. 102(b) as being anticipated by Frauenthal et al. (US 4,737,983).

Regarding **claim 1**, Frauenthal discloses an automatic call distributor telephone service (column 1, lines 6-10), (which reads on claimed "a method of reducing messages traffic among peripherals of an automatic call distributor"), such method comprising the steps of:

forming a message table (300 on FIG. 3) in a first peripheral (306 on FIG. 3) of the automatic call distributor (column 5, lines 8-21) [The table contains a listing of ACDs for this customer]; and

forwarding a message (column 5, line 46 "the CCIS message") from the first peripheral to a second peripheral (334 on FIG. 3) of the automatic call distributor based upon a content of the message table (column 5, lines 34-51) [The CDS node follows one of the branches depending on the pointer in the table].

Regarding **claim 2**, Frauenthal discloses entering an identifier of a message to be forwarded into the formed message table in the peripheral (column 6, lines 3-15).

Regarding **claim 3**, Frauenthal discloses wherein the step of entering the identifier of the message further comprises entering a corresponding destination identifier to the entry (column 6, lines 3-15).

Regarding **claim 4**, Frauenthal discloses wherein the step of entering the identifier further comprising providing a reference to a line of a message matrix (column 6, lines 3-15).

Regarding **claim 5**, Frauenthal discloses wherein the step of sending the list of unnecessary messages further comprises storing the list in said table of the automatic call distributor (column 5, lines 8-21).

Regarding **claim 6**, Frauenthal discloses forming a message for transmission to a set of peripherals, including said peripheral (column 5, lines 34-51).

Regarding **claim 7**, Frauenthal discloses wherein the step of forming a message for transmission to a set of peripherals further comprises retrieving an identifier of said peripheral of the set of peripherals (column 5, lines 34-51).

Regarding **claim 8**, Frauenthal discloses wherein the step of retrieving an identifier of said peripheral of the set of peripherals further comprises retrieving the list of unnecessary messages from said table based upon said identifier of said peripheral (column 5, lines 34-62).

Regarding **claim 9**, Frauenthal discloses wherein the step of retrieving the list further comprises comparing an identifier of the message with the list of unnecessary messages transmitted from said peripheral to the automatic call distributor (column 5, lines 34-62).

Regarding **claim 10**, Frauenthal discloses wherein the step of comparing the identifier of the message with the list of unnecessary messages further comprises discarding the message when a match is found between the identifier of the message and an entry of the list of unnecessary messages (column 6, lines 34-62).

Regarding **claim 11**, Frauenthal discloses an automatic call distributor telephone service (column 1, lines 6-10), (which reads on claimed "an apparatus for reducing message traffic in an automatic call distributor"), such apparatus comprising:

means for forming a message table (300 on FIG. 3) adapted to control messages (column 5, line 46 "the CCIS message") forwarded to a peripheral (334 on FIG. 3) of the automatic call distributor (column 5, lines 34-51) [The CDS node follows one of the branches depending on the pointer in the table]; and

means (112 on FIG. 1) for amending the table upon startup of the peripheral (column 6, lines 33-54) [The update processor the ACD status data so as to create the table].

Regarding **claims 12 and 22**, Frauenthal discloses means for forming a list of identifiers of unnecessary messages in the peripheral to upon startup (column 5, lines 8-21).

Regarding **claims 13 and 23**, Frauenthal discloses wherein the means for forming the list of unnecessary messages further comprises means for retrieving the list from memory (column 5, lines 22-33).

Regarding **claims 14 and 24**, Frauenthal discloses means for sending the list of unnecessary messages to the automatic call distributor (column 5, lines 34-51).

Regarding **claims 15 and 25**, Frauenthal discloses wherein the means for sending the list of unnecessary messages further comprises means for storing the list in said table of the automatic call distributor (column 5, lines 53-62).

Regarding **claim 16**, Frauenthal discloses means for forming a message for transmission to a set of peripherals, including said peripheral (column 5, lines 8-21).

Regarding **claim 17**, Frauenthal discloses wherein the means for forming a message for transmission to a set of peripherals further comprises means for retrieving an identifier of said peripheral of the set of peripherals (column 5, lines 8-21).

Regarding **claim 18**, Frauenthal discloses wherein the means for retrieving an identifier of said peripheral of the set of peripherals further comprises means for retrieving the list of unnecessary messages from said table based upon said identifier of said peripheral (column 5, lines 34-62).

Regarding **claim 19**, Frauenthal discloses wherein the means for retrieving the list further comprises means for comparing an identifier of the message with the list of unnecessary messages transmitted from said peripheral to the automatic call distributor (column 5, lines 34-62).

Regarding **claim 20**, Frauenthal discloses wherein the means for comparing the identifier of the message with the list of unnecessary messages further comprises means for discarding the message when a match is found between the identifier of the message and an entry of the list of unnecessary messages (column 5, lines 34-62).

Regarding **claim 21**, Frauenthal discloses an automatic call distributor telephone service (column 1, lines 6-10), (which reads on claimed “an apparatus for reducing message traffic in an automatic call distributor”), such apparatus comprising:

a message table (300 on FIG. 3) within a memory (110 on FIG. 1) of the automatic call processor adapted to control messages (column 5, line 46 “the CCIS message”) forwarded to a peripheral (334 on FIG. 3) of the automatic call distributor (column 5, lines 34-51) [The CDS node follows one of the branches depending on the pointer in the table]; and

a message processor (112 on FIG. 1) adapted to amend the table upon startup of the peripheral (column 6, lines 33-54) [The update processor the ACD status data so as to create the table].

Response to Arguments

4. Applicant's arguments with respect to **claims 1-25** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Charalambous et al. is cited for a system for dynamic customized call routing (FIG. 1).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
May 9, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

